


**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
Northern Southeast Area Plan
Area Plan Amendment
SE-02-001A11
Management Unit H-30
ADL 108105 – Haines Borough Municipal Entitlement**

The Commissioner of the Department of Natural Resources finds that the following amendment to the Northern Southeast Area Plan, described more fully in the Attachment, meets the requirements of AS 38.04.065 and 11 AAC 55.010-030 for land use plans and hereby adopts the amendment. The Department of Natural Resources will manage State lands within the area of the revision consistent with this amended management intent.

- Designation: Public Facilities – Transfer and Public Recreation - Undeveloped (no change)
- Classification: Resource Management Land and Public Recreation Land (no change)
- Management Intent: change to "This parcel is no longer recommended for designation as a State Marine Park; retention by the state is no longer necessary. Development authorizations are not considered appropriate except as related to public recreation functions."


Note: This amendment to Management Unit H-30 (Uplands Adjacent to Lynn Islands) affects 1,358.12 acres as depicted on plan map Haines Area, Saint James Bay in the Northern Southeast Area Plan (p 3-43).

Concur:


Martin W. Parsons, Director
Division of Mining, Land and Water

8/13/20
Date

Approved:


Corri A. Feige, Commissioner
Department of Natural Resources

8/19/20
Date

for 

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

**NORTHERN SOUTHEAST AREA PLAN
AREA PLAN AMENDMENT
No. SE-02-001A11
Management Unit H-30
ADL 108105 – Haines Borough Municipal Entitlement**

Name: Uplands adjacent to Lynn Islands, Management Unit H-30.

Location: In the vicinity of Saint James Bay in Sections 9, 10, 11, 14, and 15 of Township 39 South, Range 62 East, Copper River Meridian, generally located 22 miles north-northwest of Juneau. The area of the Plan Amendment is depicted on plan map '*Haines Area, Saint James Bay*' in the Northern Southeast Area Plan (p 3-43).

Authority: The authority to revise plans derives from AS 38.04.065(b), and 11 AAC 55.030(f) defines when a revision constitutes a plan amendment. The authority to classify and reclassify land is assigned to the Department of Natural Resources under AS 38. 05.300.

Current Plan: The area of the Plan Amendment occupies a parcel of state owned uplands adjacent to Lynn Islands within management unit H-40 of the Northern Southeast Area Plan (NSAP). The area is currently co-designated Public Facilities – Transfer and Public Recreation - Undeveloped. The current management intent for the unit indicates that the parcel is “to be retained by the State and is recommended for designation as a state marine park. Until formally included within an LDA, the area is to be managed for dispersed recreation (Ru). Adjacent tidelands are also intended for inclusion in the LDA designation (see LT-09). Development authorizations are not considered appropriate except as related to public recreation functions.”

Approved Plan Amendment: This Plan Amendment changes the management intent for management unit H-30 while maintaining the existing designations. The designations of Public Facilities – Transfer, which converts to a land classification of Resource Management Land, and the designation of Public Recreation – Undeveloped, which converts to a classification of Public Recreation Land, will remain unchanged. The revised management intent for this unit will be changed to read as follows: to “This parcel is no longer recommended for designation as a State Marine Park; retention by the state is no longer necessary. Development authorizations are not considered appropriate except as related to public recreation functions.”

Explanation: At the time that the NSAP was prepared, the Department of Parks and Outdoor Recreation (DPOR) supported the acquisition of this parcel for designation as a State Marine Park. In February of 2012, DPOR confirmed that it was no longer interested in this parcel for inclusion in the State park system. Due to the DPOR’s release of interest, it is no longer necessary that this parcel be retained in state ownership.

Assessment: There are two alternative courses of actions for these parcels: retain the current plan as originally adopted or amend the plan to change the management intent and retain the existing designations as described in the '*Proposed Plan Amendment*' section above. In the former instance, the management intent for this unit will not be changed and the state will be required to retain this parcel in state ownership despite DPOR’s release of interest in this parcel for the establishment of a State Marine Park. Amending the management intent for unit H-30 while

maintaining the existing designations as discussed above removes the requirement that this parcel be retained in state ownership which will allow the state to convey this land to the Haines Borough under the Municipal Entitlement Act.

The recommended course of action is to amend the NSAP as discussed above and modify the management intent for Unit H-30, allowing for the conveyance of this land out of state ownership to the Haines Borough as part of the Municipal Entitlement process. This would be consistent with the overall mission of the Municipal Entitlement program and would be in the best interest of the state.

AS 38.04.065(b) Requirements: The eight factors identified in AS 38.04.065(b) have been considered in the Preliminary Decision for ADL 108105 issued on October 30, 2017. The approved amendment is deemed to be consistent with this statute.